

FREDERICK COUNTY PLANNING COMMISSION November 13, 2013

TITLE: Ausherman Industrial Park Lot 8: Concrete

Batch Plant

FILE NUMBER: SP 86-29 AP# 13775, APFO# 13776, FRO#

13777

REQUEST: Site Plan Approval

The Applicant is requesting Planned Commercial/Industrial Site Development Plan approval for a combination of General Manufacturing Automobile Repair or Service Shop, and Yard Storage land uses, on

a 7.06-acre site.

PROJECT INFORMATION:

ADDRESS/LOCATION: 8031 Reich's Ford Road, located along Reich's Ford

Road, north of Hillmark Court

TAX MAP/PARCEL: Tax Map 77, Parcel 181, Lot 8

COMP. PLAN: General Industrial ZONING: General Industrial

PLANNING REGION: Frederick WATER/SEWER: W-5/S-5

APPLICANT/REPRESENTATIVES:

APPLICANT: JEC One LLC OWNER: JEC One LLC

ENGINEER: Rodgers Consulting, Inc.

ARCHITECT: N/A ATTORNEY: N/A

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

Exhibit 1-Site Plan Rendering

STAFF REPORT

ISSUE

Development Request

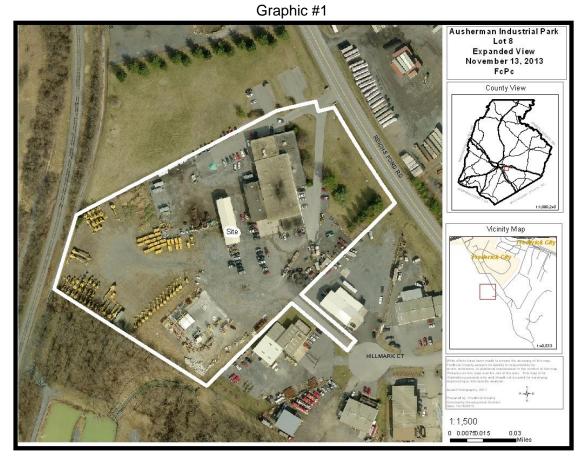
The Applicant is requesting Planned Commercial/Industrial site development plan approval to establish a new concrete batch plant operation and memorialize existing uses. The site is occupied by Modern Autobody, Discount Towing, and used for yard storage operations by Ruppert Landscaping and Bartlett Tree Experts. The construction of the concrete batch plant will include associated silos, office building, aggregate conveyor, aggregate storage area, wash pit, and associated parking area on a 2.08-acre leased portion of the overall 7.06-acre site. The proposed uses are being reviewed as the following: ""General Manufacturing", "Automobile Repair or Service Shop", and "Yard Storage" per the §1-19-5.310 Use Table in the Zoning Ordinance. All land uses are principal permitted uses in the General Industrial (GI) Zoning District subject to site development plan approval. This site plan is being reviewed under the Planned Commercial/Industrial Development provisions, in part, is to allow for more than 1 principal use or building on a single lot in the GC, ORI, LI and GI zoning districts.

BACKGROUND

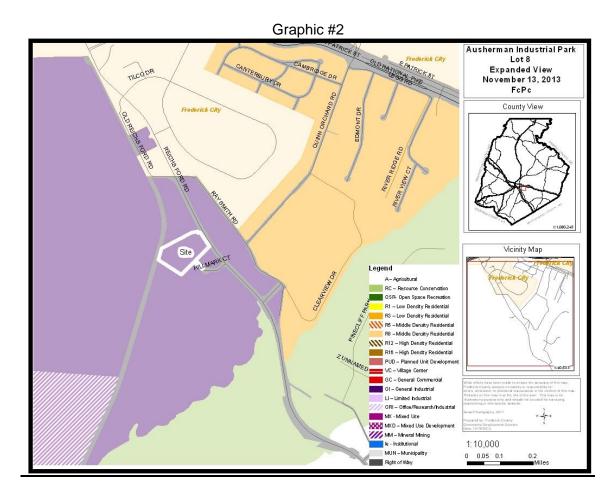
Development History and Existing Site Characteristics

This site has prior site plan approval for 20,189 square feet of Contractor's Office/Warehouse and 4,852 square feet of office space within an existing building. The site is currently used by an existing auto body shop, a landscaping company, and yard storage tenants see Graphic #1 below.

The site is currently zoned General Industrial, see Graphic #2 below. The property to the south and west of the site is developed with an existing quarry; the property to the north of this site is Ausherman Lot 1 and is currently undeveloped, the properties to the east are various developed General Industrial uses.



Ausherman Industrial Park Lot 8: Concrete Batch Plant



ANALYSIS

Summary of Development Standards Findings and Conclusions

The principal issues associated with this land development plan have been working to incorporate the existing industrial uses on site with the proposed concrete batch plant use. Staff worked with the Applicant in order to design the site in order to maximize the efficiency of each of the users without negatively impacting any of the existing or proposed development on site.

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria and 1-19-10.300 Planned Commercial/Industrial Development of the Frederick County zoning ordinance.

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

1. Dimensional Requirements/Bulk Standards §1-19-6.100: The Planned Commercial/Industrial Development regulations in section 1-19-10.300(C)(3)(b) provide that setbacks and height within

these developments are established by the Planning Commission. Setbacks and height are established based on the underlying zoning and several other factors. The GI zoning district requires a front yard setback of 25', a side yard setback of 15', a rear yard setback of 40', and a maximum height of 60'. The Applicant proposes to construct the concrete batch plant to the rear of the site. The proposed and existing structures, except for the cement batcher and main silo, meet all of the dimensional requirements and bulk standards within the GI zoning district. The Applicant is proposing an 84 foot tall cement batcher and main silo, which is located in the middle of the southern portion of the site. In addition to the fact that the Planning Commission establishes the height for developments utilizing the Planned Commercial/Industrial development process the Zoning Ordinance in section 1-19-6.160.B specifically provides that building height limitations do not apply to structures where the manufacturing process requires a height which exceeds the maximum height limit otherwise permitted in the district. However, the distance from its front, side and rear lot lines shall be no less than the maximum vertical height of such structures. The cement batcher and main silo setback from front, side and rear lot lines exceeds this requirement.

- 2. Signage §1-19-6.300: Notation # 12 on the site plan details the allowable signage for the site. A maximum of 151 square feet that is permitted on site; the Applicant is proposing to use an existing 3'x13' and a 3'x3' sign with a total square footage of 48 square feet.
- **3.** Landscaping and Screening *§1-19-6.400*: The Applicant has worked with Staff to update the overall existing site in order to bring the site into compliance with the landscaping requirements of Zoning Ordinance Section 1-19-6.400. The Applicant has proposed additional street trees along the Reich's Ford Road frontage as well as a landscape screen along the lower eastern property boundary, and the required parking lot landscaping.
- **4. Lighting §1-19-6.500:** The Applicant is proposing 3 pole mounted lights at a height not to exceed 18 feet from the ground to the point of illumination. The site contains 2 existing pole lights and 8 existing building mounted lights throughout the site. The Applicant has provided a lighting plan that complies with the requirements of Zoning Ordinance Section 1-19-6.500.

Transportation and Parking §1-19-3.300.4 (B): The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.

Findings/Conclusions

- 1. Access/Circulation: This site, lot 8, is located along Reich's Ford Road, north of Hillmark Court. Reich's Ford Road is an existing collector as designated on the County Comprehensive Plan. The site has two access points; a full movement 30' wide access onto Reich's Ford Road, as well as a 16' wide two-way access onto Hillmark Court. The Reich's Ford Road access will serve as the main access point for the existing uses on site, while the Hillmark Court access will serve the proposed concrete batch plant.
- 2. Connectivity §1-19-6.220 (F): The existing site connectivity to both Reich's Ford Road and Hillmark Court allows the truck traffic associated with the proposed concrete batch plant to be routed through Hillmark Court, while avoiding the other existing uses located on site. This proposed circulation pattern and use of existing connections provides for separation of existing from proposed uses and reduces transportation conflicts on-site.
- **3. Public Transit:** This site is not served by Transit

4. Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220: The required parking for all industrial uses is 1 space for every 2 employees (on the largest shift for which the building is designed) plus 1 for each motor vehicle used in the business. The following is a required parking breakdown of the number of employees and company vehicles associated with all of the existing and proposed uses on site.

Existing Uses

Modern Autobody: 13 employees & 6 vehicles
 Ruppert Landscaping: 25 employees & 5 vehicles
 Discount Towing: 1 employee & 7 vehicles
 Bartlett Tree Experts: 3 employees & 2 vehicles
 13 required spaces
 8 required spaces
 4 required spaces

Proposed Use

Concrete Batch Plant: 10 employees & 8 vehicles
 Total required:
 Total provided:
 56
 56

Loading: For all industrial uses, 1 large + 1 additional large loading space is required for each additional 10,000 sq. ft. of total building net floor area or part thereof over 5,000 sq. ft. Existing building square footage totals 28,850 square feet and the Applicant has proposed an additional 1,500 square feet. Therefore, since 30,350 square feet minus 5,000 = 25,350 square feet, this site requires 4 - 12'x50' loading spaces. The Applicant has provided 4 large loading spaces, and therefore complies with the requirements of Zoning Ordinance Section 1-19-6.210.B.

- **5. Bicycle Parking §1-19-6.220 (H):** The Applicant has provided 2 bicycle racks, and therefore complies with Zoning Ordinance Section 1-19-6.220. (H).
- **6. Pedestrian Circulation and Safety** *§1-19-6.220 (G)*: The site is zoned GI and the existing and proposed uses are not large pedestrian generators. Therefore, there is limited pedestrian circulation on site. The proposed concrete batch plant is proposing an accessible route from the proposed control building and parking area to the existing autobody shop building in order to provide the employees of the concrete batch plant access to on-site bathroom facilities.

Public Utilities §1-19-3.300.4 (C): Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.

Findings/Conclusions

1. Private Well and Septic: The property has a water and sewer classification of W-5/S-5 in the County's *Master Water and Sewer Plan*. The site is served by existing well and septic system. The Health Department has conditionally approved this proposal.

Natural features §1-19-3.300.4 (D): Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

Findings/Conclusions

- **1. Topography:** The site is approximately 20 feet higher than Reich's Ford Road. The remaining developed portion of the site is quite flat with a slope of less than 15%.
- **2. Vegetation:** This site is cleared of all existing vegetation, with the exception of several street trees and shrubs along the Reich's Ford Road frontage.
- 3. Sensitive Resources: There are no sensitive environmental features located on this site.
- **4. Natural Hazards:** There are no natural hazards located on this site.

Common Areas §1-19-3.300.4 (E): If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.

Findings/Conclusions

- 1. Proposed Common Area: There are no common areas associated with this non-residential use.
- 2. Ownership: This facility is privately owned and maintained.

Planned Commercial/Industrial Development § 1-19-10.300: §1-19-10.300. (A) Purpose and intent. In summary, the Planned Commercial/Industrial Development process is intended to encourage a concentration of uses and limit strip development, to provide for controlled access/convenience/efficiency for users, and to allow more than 1 principal use or building on a single lot in the GC, ORI, LI and GI zoning districts where flexibility in planning can be permitted without disturbing the neighborhood. Within the General Industrial the Planned Commercial/Industrial development process allows the use and development of a site for multiple users that may rotate over time without the necessity of subdividing the property. It allows for efficient and full use of an existing site that is larger in size than what is needed by an individual user. Staff has worked with the Applicant to achieve the purpose and intent of the development process as it would apply to the General Industrial zoning district. The proposed development meets the requirements of this section.

The proposed concrete batch plant use has been placed in the southernmost portion of the site, while the northern portion of the site is currently occupied with four existing uses. The proposed concrete batch plant has a full movement access point in order to reduce truck traffic throughout the northern portion of the site. Sheet 2 of 4 of the site plan contains shaded areas which correspond to the various existing uses and their respective buildings, parking, loading and storage areas on site.

The layout and location of the existing and proposed industrial uses helps to reduce sprawl through efficient use of an existing underutilized industrial site. The proposed concrete batch plant will partner with the adjacent LaFarge quarry in further processing stone material in the proposed concrete batch plant.

§1-19-10.300. (C) Design standards. The proposed development meets the design standards of this section. The layout has been designed to provide safe and efficient arrangement of land uses facilitating vehicular access into the site.

The proposed uses comply with applicable supplementary Industrial district regulations as well as the Industrial District Performance Standards provided in §1-19-7.600, §1-19-7.610, and §1-19-7.620 respectively.

Other Applicable Regulations

Moderately Priced Dwelling Units - Chapter 1-6A: Due to the non-residential development proposal, MPDU's are not required.

Stormwater Management - Chapter 1-15.2: Stormwater has been provided in accordance with the MD 2007 SWM Act for redevelopment areas by implementing water quality and ESD's to the MEP. Staff has approved a SWM Concept Plan on August 26, 2013.

APFO – Chapter 1-20:

- 1. Schools. This site is a non-residential use and therefore is exempt from school testing.
- 2. Water/Sewer. The property has a water and sewer classification of W-5/S-5 in the County's Master Water and Sewer Plan. The site is served by existing well and septic system, and therefore is exempt.
- 3. Roads. This site is exempt from APFO because the use will generate less than 50 peak hour trips and there are no existing escrow accounts in the area in which to contribute.

Forest Resource - Chapter 1-21: This site is subject to FRO review and mitigation. The site is unforested. The afforestation requirement of 0.50 acres will be met by purchasing Forest Banking Credits or payment of fee-in-lieu. FRO mitigation must be provided prior grading or building permit, whichever is applied for first.

Historic Preservation - Chapter 1-23: There are no historic features located on this site.

Summary of Agency Comments

Other Agency or Ordinance	Comment
Requirements	
Development Review	Conditionally Approved
Engineering (DRE):	
Development Review	Hold: Address all agency comments as the plan proceeds
Planning:	through to completion.
State Highway	N/A
Administration (SHA):	
Div. of Utilities and Solid	N/A
Waste Mngt. (DUSWM):	
Health Dept.	Conditionally Approved
Office of Life Safety	Approved
DPDR Traffic Engineering	Approved
Historic Preservation	N/A

RECOMMENDATION

Staff has no objection to conditional approval of the site plan. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval, or until November 13, 2016.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

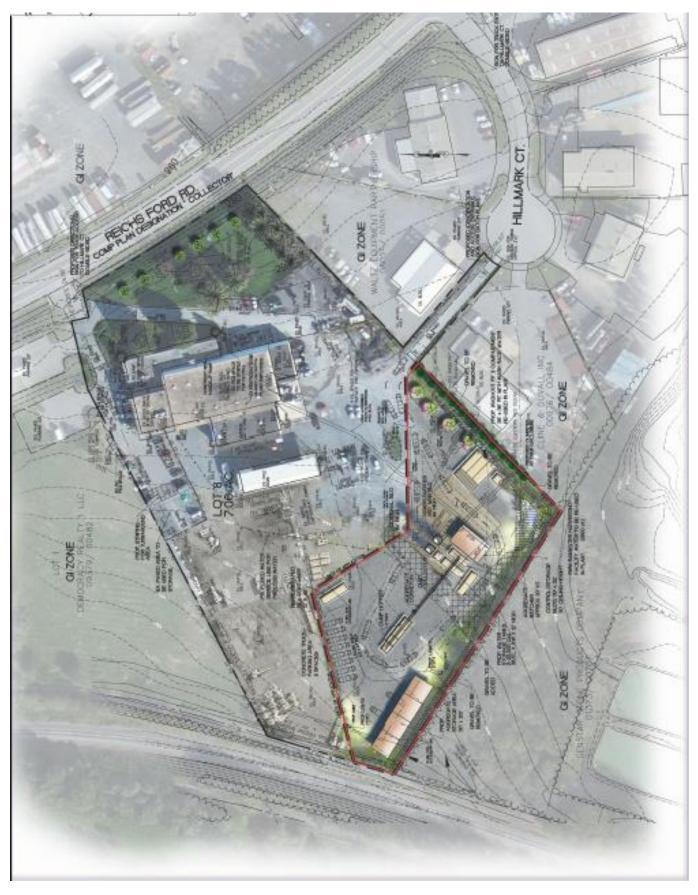
- 1. Address all agency comments as the plan proceeds through to completion.
- 2. FRO mitigation must be provided prior to grading or building permit, whichever is applied for first.
- 3. The proposed uses shall comply with applicable supplementary Industrial district regulations as well as the Industrial District Performance Standards provided in §1-19-7.600, §1-19-7.610, and §1-19-7.620 respectively.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** Site Plan SP 86-29 (AP# 13775) **with conditions** as listed in the staff report for the Ausherman Planned Commercial/Industrial site development plan based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit #1: Site Plan Rendering



Ausherman Industrial Park Lot 8: Concrete Batch Plant
November 13, 2013
Page 9 of 9